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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/751,127 | 01/03/2004 | Chao-Liang Wang | 04103-URS | 1768 |

33804 7590 08/23/2006

LIN & ASSOCIATES INTELLECTUAL PROPERTY
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EXAMINER

CHEN, TIANJIE

| | |
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| ART UNIT | PAPER NUMBER |
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2627

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/751,127

Applicant(s)

WANG ET AL.

Examiner

Tianjie Chen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Non-Final Rejection

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu (US 2004/0100761) in view of Maruyama (US 2003/0117783).

Liu shows an optical disc drive in Fig. 1 including: an optical disc drive 6; and a casing 7, being a hollow and semi-closed rectangular parallelepiped and defining an internal space, wherein a vertical end surface (front surface) of the casing has an insertion opening for inserting the optical disc drive into the internal space, an opposite vertical end surface (rear surface) is closed by a circuit board, which comprises an interface connecting cable and a power supply cord 82+72 respectively connected to corresponding connection components of the optical disc drive.

Liu does not show that the casing has a bottom opening on a rear portion of a bottom thereof.

Maruyama shows an apparatus with a casing, which has a bottom opening covered by cover 11 ([0034]) on a rear portion of a bottom 2a ([0034] line 5) thereof, and a removable bottom cover 11 openably closing the bottom opening.

It would have been obvious at the time the invention was made to one of ordinary skill in the art to add the opening with the cover taught by Maruyama into Liu 's device. The rationale is as follows: Liu teaches that the opening is a storage

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space for accommodating battery ([0034]). The advantage of having battery is obvious that it makes the device mobile, thus can work independently. One of ordinary skill in the art would have been motivated to add the opening and cover for accommodating battery.

2. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu in view of Maruyama as applied to claim 1 above, and further in view of Pernet (5,673,180).

Maruyama does not show how to fix the cover on the device. Pernet shows a device in Fig. 1, wherein the opening has two retaining grooves 21 on a side thereof and the bottom cover has two elastic retainers 31 fixedly engaged with the corresponding two retaining grooves. Since Maruyama does not show how to fix the cover. Pernet shows a way of using grooves and retainers for fixing the cover, and it is also notorious and commonly used way for fixing a cover. One of ordinary skill would have been motivated to use Pernet's way to fix the cover in Liu and Maruyama's device.

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu in view of Maruyama as applied to claim 1 above, and further in view of Downtin (US 3,584,135).

Claim 3, Downtin shows a device in Fig. 2, wherein the casing is provided on proper positions at 28 with a plurality of through holes for fixedly screwed by screws 28 to the corresponding screw holes (Column 2, lines 39-41). The way of using screws to fix a cover is so notorious and popular. One of ordinary skill in the art would use this way to fix the cover.

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4. The prior art made of record innPTO-892 Form and not relied upon is considered pertinent to applicant's disclosure.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tianjie Chen whose telephone number is 571-272-7570. The examiner can normally be reached on 8:00-4:30, Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen can be reached on 571-272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


TIANJIE CHEN
PRIMARY EXAMINER